

# Minutes

## Bar Harbor Town Council

March 18, 2008

- I. **CALL TO ORDER** – 7:02 P.M. – In attendance were Councilors: Ruth Eveland, Robert Garland, Paul Paradis, Ken Smith, Julia Schloss, Greg Veilleux, Robert Jordan, Jr.; and Town Manager Dana Reed.

A. **Excused Absence(s)** – All were present.

II. **APPROVAL OF MINUTES**

A. **March 4, 2008** – Mr. Paradis, with second by Mr. Veilleux, moved to approve the minutes of the March 4, 2007 regular meeting as presented. Motion passed 7-0.

- III. **ADOPTION OF AGENDA** – Mr. Paradis, with second by Mr. Smith, moved to approve the agenda as presented. Motion passed 7-0.

- IV. **FINANCIAL STATEMENTS** – Mr. Paradis, with second by Ms. Schloss, moved to accept and file the financial statements as presented in the Finance Director's memo dated March 11, 2008. Motion passed 7-0.

V. **PUBLIC HEARINGS:**

A. **Special Amusement Permit Renewal: Bar Harbor Hotel ~ Bluenose Inn, 90 and 50 Eden Street, for a Class 3ad, three or more musicians with mechanical amplification and dancing, as submitted by Lafayette Bar Harbor Hotel, Inc., Kent Leonard.** – There being no comments, Mr. Paradis, with second by Mr. Veilleux, moved to approve a special amusement permit renewal for the Bar Harbor Hotel – Bluenose Inn as requested. Motion passed 7-0.

VI. **REGULAR BUSINESS:**

A. **Economic Development Task Force - Possible appointment to membership category (f) "Resident business owner of the downtown district (business districts or the Downtown Residential district)".** – Mr. Paradis nominated Matthew Hougán for the seat representing the Downtown Residential district on the Economic Development Task Force. Mr. Smith nominated James (Howdy) Houghton for the seat representing the Downtown Residential district on the Economic Development Task Force.

Mr. Hougán received three votes: Mr. Veilleux, Ms. Eveland, Mr. Paradis.

Mr. Houghton received four votes: Mr. Smith, Mr. Garland, Mr. Jordan, Ms. Schloss.

Mr. Houghton was declared appointed.

- B. Bridge Street** – *Review and possible adoption of a notice that, at its April 1 meeting, Council will consider adoption of an Order to place on the June 3 Town Meeting Warrant an article to clarify the Town's legal title to Bridge Street.* – Following the Town Manager's explanation and timeline, Mr. Paradis, with second by Mr. Smith, moved to adopt and post the Bridge Street Notice of Hearing as presented and dated March 18, 2008 and authorize the Town Clerk to sign the document. Motion passed 7-0.

Further, Mr. Paradis, with second by Mr. Smith, moved that no damages be included in the draft Bridge Street Condemnation Order. Motion passed 7-0.

- C. Wharf License: Golden Anchor** – *Application of Golden Anchor, LC, for a license to install five new pilings for the Harborside Marina, construct 2893 square feet of new pier and construct a footbridge to Young's Pier.* – Following discussion, Mr. Paradis, with second by Mr. Smith, moved to hold a public hearing on April 1 for the wharf license application of Golden Anchor, LC. provided that Mr. Salvatore, on behalf of Golden Anchor, LC., initial the deletion of the foot bridge on the submitted plan tonight and provide a revised plan with the foot bridge removed prior to the public hearing. Motion passed 7-0.

- D. Board & Committee Communications** – *Quarterly discussion of current projects, future plans and any support needed from Town Council*

- 1. Conservation Commission** – Following the presentation from the Chair Jill Weber and members, Mr. Paradis, with second by Mr. Smith, moved to endorse the Conservation Commission draft work plan dated March 14, 2008, and thanked them for their hard work. Motion passed 7-0.

- 2. Communications Technology Task Force** – Following a presentation from Chair Brian Booher, Mr. Paradis, with second by Mr. Smith, moved to direct the Town Manager to seek support, through the League of Towns, for additional redundancy for communications and electrical crossings to Mount Desert Island. Motion passed 7-0.

In addition, Mr. Paradis, with second by Mr. Garland, moved to approve and send the draft letter from the Town Council to the School Superintendent as presented. Motion passed 7-0.

Also, Mr. Paradis, with second by Mr. Veilleux, moved to direct staff to send a letter in support of LD2133 to our State legislative delegation. Motion passed 7-0.

Town Council thanked Mr. Booher for review of the task force work load and their accomplishments, appreciate the Communication Technology Task Force's efforts.

- E. Cable TV Public Access Channel** – *Request of Dobbs Productions for use of Channel 2, our Public Access Channel.* – Mr. Paradis, with second by Mr. Garland, moved to approve the March 7, 2008 request of Dobbs Produc-

tions to use public access channel 2 through March 2009, as outlined in its request, on the condition that it agree to abide by the Town Council's Cable TV Public Access Policy. Motion passed 7-0.

- F. FY08 Budget Transfer** – *Request of the Town Manager for a transfer of funds to facilitate Glen Mary renovations.* – Mr. Paradis, with second by Mr. Veilleux, moved to transfer \$42,000 from the Barker Park Construction CIP account #2159-6304 to the Glen Mary Renovations CIP account #2159-6332. Motion passed 6-1 (Nay: Mr. Jordan).
- G. Homeland Security Grant** – *Request of the Fire Department for permission to apply for a Federal grant to fund replacement of their aged SCBA air paks and compressor equipment for filling them.* – Mr. Smith, with second by Mr. Jordan, moved to authorize the Town Manager to apply for a Federal grant to replace the Fire Department's cascade compressor system and its SCBA air packs. Motion passed 7-0.
- H. FY09 Budget Preparation** – *Report by the Town Manager on the status of budget changes made or under consideration by the Warrant Committee.* – The Town Manager gave a review of the Warrant Committee's suggested changes and topics of discussion for their joint meeting with the Council.
- I. Cruise Ship Study Task Force** – *Recommendation of the CSSTF that the Town be represented at the Canada/New England Cruise Symposium in Portland, Maine.* – Mr. Veilleux, with second by Mr. Paradis, moved to authorize Councilor Paradis and a staff member designated by the Town Manager to attend the Canada/New England Cruise Symposium in Portland, ME to represent the Town. Motion 7-0.
- J. Rules of Order** – *Review and possible acceptance of changes to the Rules of Order as directed on February 12.* – Mr. Paradis, with second by Mr. Veilleux, moved to adopt the proposed changes to the Town Council Rules of Order as presented. Motion passed 7-0.
- K. School Reorganization** – *Status report by Council's representative to the Reorganization Planning Committee, Councilor Bob Garland.* – Councilor Garland had nothing new to report at this time.
- L. Boards & Committees** – *Possible action to formally abolish inactive committees.* – Mr. Smith, with second by Mr. Veilleux, moved to abolish the Bangor-Trenton Transportation Public Advisory Committee, the Comprehensive Plan Task Force, the Cooperating Agency Task Force, the Municipal Building Renovation Committee and the Municipal Building Rental Rate Task Force. Motion passed 7-0.
- M. Conservation Commission** – *Possible acceptance of the resignation of Lynne Williams due to her recent appointment to the Planning Board.* – Mr. Smith, with second by Mr. Veilleux, moved to accept the resignation of Lynne Williams from the Conservation Commission and thank her for her service. Motion passed 7-0.

**N. Appeals Board** – *Possible acceptance of the resignation of Lois Maltais.* – Mr. Smith, with second by Ms. Schloss, moved to accept the resignation of Lois Maltais from the Appeals Board and thank her for her service. Motion passed 7-0.

**O. Treasurer's Warrant** – *Request of Treasurer to authorize paid bills.* – Mr. Smith, with second by Mr. Jordan, moved to sign the Treasurer's warrant for paid bills. Motion passed 7-0.

## **VII. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA**

**Mr. Smith** suggested no further authorization of pole permits for Verizon until they clean up and clean up around their replacement poles.

He inquired how often we test our water supply.

He complimented the MDI high school jazz bands for their performances at the State's Jazz Festival. He stated we should all be proud.

Mr. Smith announced he would not be available for the April 1<sup>st</sup> meeting.

**Mr. Paradis** thanked Anne Krieg and Chip Reeves for a job well done on the Bridge Street Neighborhood meeting presentation on Monday

**Mr. Veilleux** thanked Lynne Williams for her tenure on the Conservation Commission and her interest in serving on the Planning Board.

**Mr. Jordan** thanked the Conservation Commission members and Brian Booher for their committee reports. He noted that the Conservation Commission does a lot of work under the radar.

**Ms. Eveland** reminded everyone of the MDOT public hearing to discuss the head of the island intersection of Routes 3/102/198 in Northeast Harbor at the middle school on Wednesday, April 2, at 6:00 p.m.

She also announced to the public the Water Division main replacement from the Eden and Mount Desert Street intersection to the Spring and Mount Desert Street corner. The construction is scheduled to begin in April and be completed by late May.

She noted the Town received a petition from residents at Rodick Lorraine regarding the sidewalk into town. The sidewalk on Eagle Lake Road from Rodick Lorraine to the corner of Eden Street is scheduled for replacement this spring.

Ms. Eveland encouraged anyone interested in serving as a Town Councilor to take papers out. Nomination papers are now available. She also offered anyone interested in serving to feel free to contact anyone of the Councilors with questions.

## **VIII. MATTERS FOR POSSIBLE EXECUTIVE SESSION:**

**A. Personnel Matters** – *(To be held in executive session as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter.)* – Mr. Paradis, with second by Mr. Smith, moved to enter into executive session at 9:32 p.m., following a five minute break, as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter. Motion passed 7-0.

Council entered into executive session at 9:38p.m., and came out of executive session at 10:06 p.m. There was no action taken.

- IX. ADJOURNMENT** – Mr. Paradis, with second by Mr. Smith, moved to adjourn at 10:06 p.m. Motion passed 7-0.

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Paul Paradis, Secretary